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RTH/1631  
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Stavrianopoulos et al

Serial No. 08/486,070

Filed: June 7, 1995

Title: **ARRAYS AND SYSTEMS COMPRISING  
ARRAYS FOR GENETIC ANALYSES  
AND OTHER APPLICATIONS**

Group Art Unit: 1631

Ex'r: Ardin H. Marschel, Ph.D.

527 Madison Avenue, 9<sup>th</sup> Floor  
New York, NY 10022-4304  
May 13, 2004

**FILED VIA EXPRESS MAIL**

Mail Stop No-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**THIRD SUPPLEMENTAL INFORMATION DISCLOSURE  
STATEMENT UNDER 37 C.F.R. §§1.56 & 1.97-1.98**

Dear Sirs:

Pursuant to the provisions of 37 C.F.R. §§1.97-1.98, and in full compliance with their duty of disclosure under 37 C.F.R. §1.56, Applicants, through their attorney, are bringing the following two (2) documents to the attention of the U.S. Patent and Trademark Office and the Examiner handling their above-identified application:

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Enz-7(P)(C3)

Stavrianopolous et al

Serial No.: 08/486,070

Filed: June 7, 1995

Page 2 [Third Supplemental Information Disclosure Statement -- May 13, 2004]

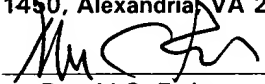
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**EXPRESS MAIL CERTIFICATE**

"Express Mail" Label No.: EV531083114US

Deposit Date: May 13, 2004

I hereby certify that this paper and the attachments herein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.110 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Ronald C. Fedus  
Reg. Exhibit 32,567

MAY 13 2004

Date

1. Stuart et al., U.S. Patent No. 4,732,847, issued March 22, 1988, filed December 29, 1982, based upon an application filed on June 9, 1981; and [Exhibit 1]; and
2. Stuart et al., "Location of the 18/28S ribosomal RNA genes in two Hawaiian *Drosophila* species by monoclonal immunological identification of RNA-DNA hybrids *in situ*," Proc. Natl. Acad. Sci. USA 78:3751-3754 (1981) [Exhibit 2].

The two above-listed documents (Exhibits 1 & 2) recently came to the attention of Applicants' undersigned attorney.

Applicants and their attorney thank the Examiner for providing a copy of the Stuart '847 Patent (Exhibit 1) at the April 1, 2004 interview held at the new offices for the Patent and Trademark Office in Alexandria, Virginia. Through a computer database search for publications co-authored by W. Dorsey Stuart, the second above-listed document, Stuart's 1981 PNAS paper (Exhibit 2), was uncovered and later retrieved. In reviewing Stuart's 1981 PNAS paper (Exhibit 2), Applicants' attorney noticed a correspondence between the information contained in the "MATERIALS AND METHODS" section of Stuart's 1981 PNAS paper (Exhibit 2) [beginning on page 3751, right column, and continuing through page 3753, left column] and the "EXPERIMENTAL" section of Stuart's '847 Patent [bottom of column 4, continuing through column 7, first full paragraph]. Accordingly, Stuart's 1981 PNAS paper (Exhibit 2) is also being submitted in this Third Supplemental IDS, together with their '847 Patent (Exhibit 1) that was provided at the April 1, 2004 interview.

A completed Form PTO-1449 listing the two above-submitted documents (Exhibits 1 & 2) is also attached hereto as Exhibit 3.

By this voluntary citation of art, Applicants and their attorney are requesting that the documents be made of record in the present application.

The above citation of documents is not a representation that these documents constitute a complete or exhaustive listing, nor that the above listing

necessarily includes the closest or most relevant documents, nor are these documents necessarily a complete listing of all documents known to Applicants or their attorney. It is simply a voluntary citation of documents made in good faith, which is not intended to serve in any way as a substitute for the Examiner's own search.

In view of the general and specific features described and claimed in the present application, Applicants respectfully submit that the present invention is neither disclosed nor suggested by the documents referred to above and is thus patentably distinct thereover. Furthermore, Applicants do not believe, and do not submit, by the citation of these references, that these documents, either by themselves or in combination with other documents, render the invention *prima facie* obvious under the duty of disclosure rules.

Applicants respectfully request that the Examiner make the above-submitted documents of record in the instant application. Applicants further request that the Examiner consider these documents as any of them may relate to the present application.

The fee under 37 C.F.R. §1.17(p) for filing this Information Disclosure Statement is \$180.00. The Patent and Trademark Office is hereby authorized to charge the amount of this fee (and any other fees in connection with this IDS) to Deposit Account No. 05-1135, or to credit any overpayment thereto.

Respectfully submitted,



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Form PTO-1449 U.S. Department of Commerce  (REV. 8-83) Patent and Trademark Office  INFORMATION DISCLOSURE CITATION (use several sheets if necessary)	Atty. Docket No. ENZ-7(P)(C3)	Serial No. 08/486,070
	Applicants: Stavrianopolous, et al	
	Filed: June 7, 1995	Group: 1631



## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPRO- PRIATE
	4 7 3 2 8 4 7	12/29/82	Stuart, et al			

## FOREIGN PATENT DOCUMENTS

DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	TRAN- SLATION YES NO

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	Stuart, W.D., et al., "Location of the 18/28S ribosomal RNA genes in two Hawaiian <i>Drosophila</i> species by monoclonal immunological identification of RNA-DNA hybrids <i>in situ</i> ," Proc. Natl. Acad. Sci. USA 78:3751-3754 (1981)

EXAMINER	DATE CONSIDERED
*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	